

REMARKS

This response is in reply to the Office Action dated September 17, 2002 in which the Examiner noted that claims 16-20 are allowed and rejected claims 31 and 32 under 35 U.S.C. § 102(b) in view of U.S. Patent 3,783,556 to Cook. As requested by the Examiner, the specification has been updated to recite patent numbers for two parent applications and the specification has also been amended to reference the computer code on compact disk. The compact disk in accordance with 37 CAR § 1.52(e) is submitted in duplicate herewith.

In rejecting claim 31 the Examiner states that a light beam of Cook in conjunction with a photocell defines a minimum reversal position beyond which a closing door will not reverse because it is difficult to break the passage of the light beam after the door edge passes it. Nothing in Cook shows controller responsive to a defined minimum position to continue to drive the door. In fact, the circuitry of Cook does not "know" the position of the light beam and merely continues to drive the door until a previously set closed position is reached (closed limit switch 62). From the description found in column 10 line 26 through column 11 line 17 it is apparent that reversal will occur whenever the light beam is obstructed or the door edge sensor touches an obstruction.

Claim 31 has been amended to recite that the controller responds to a defined minimum reversal position until the barrier is forced against a fixed part of the barrier opening. No such controller responsive to a defined minimum reversal position is taught or suggested by Cook. Accordingly, claim 31 as amended is allowable. Claim 32 is also allowable due to its dependence on claim 31.

The present amendment also adds a new claim 33 which states in its last paragraph that a controller responds to a

position detector which senses the minimum reversal position and causes the motor to drive the barrier to a closed limit. As discussed with regard to claim 31 such responsiveness to a minimum reversal position is not taught or suggested by Cook. For this reason, newly added claim 33 is respectfully asserted to be allowable.

Accompanying these Remarks is a marked-up copy of claim 31.

Respectfully submitted,

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MARKED-UP VERSION OF AMENDED CLAIMS

IN THE CLAIMS:

31. (Amended) A movable barrier operator comprising:
- a motor connectable to a movable barrier and energizable to move the barrier between an open position and a closed position with respect to a barrier opening;
 - a position detector for sensing a position of the barrier;
 - a controller responsive to input commands and the position detector for controlling the energizing of the motor to control the movement of the barrier;
 - apparatus for defining a minimum reversal position of the barrier at a position near a closed limit of the barrier; and
 - the controller responds to a close input command and the defined minimum reversal position by energizing the motor to move the barrier to a position more closed than the minimum reversal position to force the barrier against a substantially fixed part of the barrier opening.